

AF 2877
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Attorney Docket Number: WAA-248 C1
Application No.: 10/650,213
Filed: August 28, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Anthony C, Gilby
Application No.: 10/650213
Filed: August 28, 2003

Confirmation No. 7163
Art Unit: 2877
Examiner: Kara E. Geisel

For: Fluorescence Detector Geometry

MS Amendment
Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OUTSTANDING OFFICE ACTION

Dear Sir:

In response to the Outstanding Office Action bearing a mailing date of September 29, 2005, Applicant introduces the following remarks. Reconsideration of the present Application is respectfully requested.

I. Summary of the Office Action

The outstanding office action is first non-final office action. The present application presents claims 1-29 for examination.

The Examiner contends Applicant can not claim priority under 35 USC Section 119 based on Applicant's PCT Application filed on March 1, 2002.

The Examiner has rejected claims 11 – 15, 17 – 19, 21 – 23 and 27 – 29 under 35 USC Section 103(a). The Examiner contends the subject matter of such claims is obvious over US Patent 5,444,807 to Liu (Lui) in view of US Patent 6,795,177 to Doyle (Doyle).

The Examiner has acknowledged that claims 1 – 10 and 16 are allowed over the art of record. And, claims 20, 24 – 26 are objected to as dependent from a rejected base claim, but would be allowable if rewritten in independent form.

Applicant will address each of the Examiners comments and concerns in the discussion that follows.